

**Introduced by Senator Wolk**

February 8, 2010

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An act relating to public resources, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 991, as introduced, Wolk. Water supply reliability, flood control, water resources management, and wildlife preservation.

(1) Under existing law, various general obligation bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. The Disaster Preparedness and Flood Prevention Bond Act of 2006, a bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program.

This bill, with regard to those bond funds, would appropriate \$569,900,000 to be allocated as follows: of the funds made available pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006, \$200,000,000 to the Department of Water Resources for flood protection projects and \$70,000,000 to the department for grants for stormwater flood management projects; and, of the funds made available pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, \$250,000,000

to the department for integrated regional water management grants and expenditures for programs and projects to increase local water supply reliability, \$9,900,000 to the department to implement specified urban and agricultural water management planning and water demand reduction programs, \$32,000,000 to the department for flood control projects in the Sacramento-San Joaquin Delta designed to reduce the potential for levee failures, and \$8,000,000 to the Wildlife Conservation Board for grants to local agencies to implement, or assist in the establishment of, specified natural community conservation plans.

(2) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on January 8, 2010.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on January 8, 2010, pursuant to the California Constitution.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The sum of five hundred sixty-nine million nine  
2     hundred thousand dollars (\$569,900,000) is hereby appropriated  
3     in accordance with the following schedule:  
4     (a) Of the funds made available pursuant to Chapter 1.699  
5     (commencing with Section 5096.800) of Division 5 of the Public  
6     Resources Code, the sum of two hundred seventy million dollars  
7     (\$270,000,000) is hereby allocated to the Department of Water  
8     Resources as follows:  
9     (1) Pursuant to Section 5096.821 of the Public Resources Code,  
10    the sum of two hundred million dollars (\$200,000,000) for flood  
11    protection projects that improve the sustainability of the  
12    Sacramento-San Joaquin Delta, including, but not limited to,  
13    projects that reduce the risk of levee failure that would jeopardize  
14    water conveyance. The department shall expedite the evaluation  
15    of nonurban levees on the West bank of the Sacramento River that  
16    protect unincorporated communities and consider a joint project  
17    with local government agencies for improving flood bypass  
18    facilities as multibenefit flood control facilities.

(2) Pursuant to, and consistent with, Section 5096.827 of the Public Resources Code, the sum of seventy million dollars (\$70,000,000) for grants for stormwater flood management projects consistent with a stormwater resource plan developed pursuant to Part 2.3 (commencing with Section 10560) of Division 6 of the Water Code, as that part may be amended. The department may fund one or more pilot projects for the development of model stormwater resource plans designed to improve the integration of flood control, watershed management, and stormwater management.

(b) Of the funds made available pursuant to Division 43 (commencing with Section 75001) of the Public Resources Code, two hundred ninety-nine million nine hundred thousand dollars (\$299,900,000) is hereby appropriated as follows:

(1) (A) Pursuant to Section 75026 of the Public Resources Code, the sum of two hundred fifty million dollars (\$250,000,000) to the Department of Water Resources for integrated regional water management grants and expenditures for programs and projects that, when implemented, will increase local water supply reliability. A grant pursuant to this subparagraph shall be available only for projects included in an integrated regional water management plan that meets one of the following conditions:

(i) The plan complies with Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code.

(ii) If the integrated regional water management plan was adopted before March 1, 2009, the regional water management group that prepared the plan entered into a binding agreement with the Department of Water Resources, within one year of the agreement to, update the plan to comply with Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code and undertake all reasonable and feasible efforts to take into account the water-related needs of disadvantaged communities in the area within the boundaries of the plan.

(B) At least 10 percent of the funds made available pursuant to subparagraph (A) for implementation and planning grants shall be available to facilitate and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.

1 (2) Of the funds available pursuant to Section 75026, the sum  
2 of nine million nine hundred thousand dollars (\$9,900,000) to the  
3 Department of Water Resources to implement Part 2.55  
4 (commencing with Section 10608) and Part 2.8 (commencing with  
5 Section 10800) of Division 6 of the Water Code, for interregional  
6 and statewide benefits pursuant to Section 75027.

7 (3) Pursuant to, and consistent with, Section 75033 of the Public  
8 Resources Code the sum of thirty-two million dollars (\$32,000,000)  
9 to the Department of Water Resources for flood control projects  
10 in the Sacramento-San Joaquin Delta designed to reduce the  
11 potential for levee failures, including, but not limited to, projects  
12 that reduce the risk of levee failure that would jeopardize water  
13 conveyance.

14 (4) Pursuant to, and consistent with, subdivision (c) of Section  
15 75055 of the Public Resources Code, the sum of eight million  
16 dollars (\$8,000,000) to the Wildlife Conservation Board for grants  
17 to local agencies to implement, or assist in the establishment of,  
18 natural community conservation plans pursuant to Chapter 10  
19 (commencing with Section 2800) of Division 3 of the Fish and  
20 Game Code, for areas in or around the Sacramento-San Joaquin  
21 Delta.

22 (c) The funds appropriated pursuant to paragraph (1) of  
23 subdivision (a) and paragraph (3) of subdivision (b) may also be  
24 expended by the Department of Water Resources for both of the  
25 following purposes:

26 (1) Local assistance under the delta levee maintenance program  
27 pursuant to Part 9 (commencing with Section 12980) of Division  
28 6 of the Water Code, as that part may be amended.

29 (2) Special flood control projects under Chapter 2 (commencing  
30 with Section 12310) of Part 4.8 of Division 6 of the Water Code,  
31 as that chapter may be amended.

32 SEC. 2. This act addresses the fiscal emergency declared by  
33 the Governor by proclamation on January 8, 2010, pursuant to  
34 subdivision (f) of Section 10 of Article IV of the California  
35 Constitution.